IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

GUARDIANSHIP PETITION NO.123 OF 2005

Vaishali Manohar Naik Petitioner

Mr.Pradeep Jadhav with Mr.Ashish K. Patil for petitioner.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 29th March 2006

PC :

1. Shri Jadhav appearing for the petitioner tenders an affidavit proving service. The same is taken on record.

2. The petitioner is the elder sister of deceased father of the minor. In other words, she is his Maternal Aunt. The parents of the minor have expired. They died intestate. As far as their properties are concerned, the details thereof are set out at paragraph no.2 of the petition and Annexure-C. The minor is being maintained and looked after as well as is in custody and care of the petitioner. There are none others who are claiming any interest insofar

as the custody and properties of the minor. The grand mother of the minor was 82 years old and she has given her No Objection Certificate for appointing the petitioner as guardian. The grand mother has now expired recently, according to Shri Jadhav.

3. The necessary averments are made and the petitioner undertakes that the monies and properties left behind by the deceased parents, would be utilised for the up bringing, welfare and education of the minor. She has no interest in the same which is adverse to that of the minor.

4. In these circumstances, the petition is made absolute in terms of prayer clauses (b) to (d).

5. Shri Jadhav states that insofar as the day to day expenses are concerned, the employer/ Provident Fund Commissioner be directed to pay per month the amount of pension from the pension fund of the deceased father of the minor and the other amounts namely arrears of pension, till the date of passing of this order and benefits from the Employees Group Life Insurance be invested after the same are deposited with the Accounts

Officer of this Court by the petitioner.

6. I see no reason to deny this request of Shri Jadhav. Accordingly, from the month of May 2006 the monthly pension shall be paid over to the petitioner by the employer of deceased father of minor on production of an authenticated copy of this order issued by Registry.

(S.C.DHARMADHIKARI, J.)